



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Gotwals, et al.

Application No.: 09/423,018

Group Art Unit: 1647

Filed: October 12, 2000

Examiner: SHAFER, SHULAMITH H.

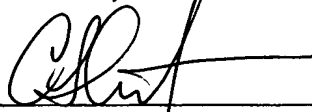
Title: TYPE II TGF-BETA RECEPTOR/IMMUNOGLOBULIN CONSTANT
REGION FUSION PROTEINS

EXPRESS MAIL NO. : EV 757368 162 US

DEPOSITED: July 11, 2006

I hereby certify that this correspondence is being deposited with the United States Postal Service Express Mail under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Office of Petitions, Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


CURTIS SCHRANDT

**TRANSMITTAL OF PETITION TO REVIVE UNDER 37 C.F.R. § 1.137(b)
SOLELY FOR PURPOSES OF ESTABLISHING CO-PENDENCY**

Sir:

Applicants hereby submit the attached petition under 37 C.F.R. § 1.137(b) to revive the above-identified patent application solely for purposes of establishing co-pendency of the application with pending divisional United States Patent Application Serial No. 11/ 108,597, filed April 18, 2005.

Together with the requisite large-entity petition fee, Applicants hereby submit a request for an extension of time and a check in the amount of \$120.00 for a one-month extension of time (large entity) to cover the period from the shortened statutory response date of March 30, 2005 in United States Patent Application Serial No. 09/423,018 to the April 18, 2005 filing date of United States Patent Application Serial No. 11/108,597.

An authorization to charge Coleman, Sudol & Sapone, P.C. Deposit Account 04-0838 for any and all additional fees required in connection with this Petition and the accompanying request for an extension of time is also submitted in duplicate herewith.

Applicants: Gotwals, et al.
Application No.: 09/423,018
Filed: October 12, 2000
Page 2 of 2

Docket No. A018US

Respectfully submitted,



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714 Colorado Avenue
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(203) 366-3560
Date: July 11, 2006

07-12-06

DAC
JFW

PTO/SB/64 (10-05)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Docket Number (Optional)
A018US

First named inventor; Philip Gotwals

Application No.: 09/423,018

Art Unit: 1647

Filed: 10-12-2000

Examiner: SHAFER, SHULAMITH H

Title: Type II TGF-beta receptor/immunoglobulin constant region fusion proteins

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1,500.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Divisional U.S. Pat. App. No. 11/108,597/Req. for Ext. of Time/Fee (identify type of reply):

07/13/2006 TBESHAH1 00000007 09423018

01 FC:1453

1500.00 01

- ☒ has been filed previously on 4/18/05 (Divisional U.S. Pat. App. No. 11/108,597).
☒ is enclosed herewith. (Req. for Ext. of Time/Fee)

B. The issue fee and publication fee (if applicable) of \$ _____.

- ☐ has been paid previously on _____.
☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

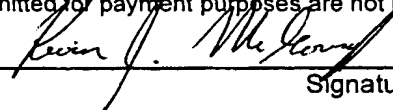
3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.



 Signature

July 11, 2006

Date

Kevin J. McGough

Typed or printed name

31,279

Registration Number, if applicable

Coleman, Sudol & Sapone, P.C.

Address

914-337-4082

Telephone Number

714 Colorado Avenue, Bridgeport, CT 06605-1601

Address

Enclosures: ☒ Fee Payment☒ Reply (Req. for Ext. of Time/Fee)☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☒ Other: Transmittal Sheet; Auth. to Charge PTO Dep. Acct. 04-0838 for All Fees**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as ~~first class~~ mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.

July 11, 2006

Date

Signature

Curtis Schrandt

Typed or printed name of person signing certificate